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WHY CAN'T THIS MINISTER SAY 'SORRY I WAS WRONG'?



CALL me old-fashioned, but I expect government ministers to speak the truth. Equally I accept that every now and again they will get something wrong. That's understandable as well. But when they do make a mistake, why do they find it so difficult to say, 'I was wrong, Sorry about that. I apologise'? I'm sure the public would quite warm to them if they did. It could even improve the status of politicians in our society. Perhaps they should do it more often.

Kim Howells MP clearly doesn't agree.

Last month he came out with a quite shocking statement about Justice for Colombia. He was criticised for his association with Colombian General Mario Montoya, who has been named in a US Congressional report as someone with suspected links to private militias (see page 9). In a wild response, no doubt aimed at diverting attention, he accused JFC of supporting the FARC, a revolutionary guerrilla movement. This is utterly untrue. JFC campaigns for peaceful solutions in the most dangerous country in the world to be a trade unionist: 184 were killed in a single year. It is nonsense to suggest that the TUC, 40 national trade unions and half of Labour's MPs would affiliate to an organisation that backed armed revolutionaries!

I am especially saddened – and annoyed – with Kim because he had every opportunity to become a model representative. He had the shining example of Emlyn Williams, for whom Kim worked as a personal assistant. Emlyn was President of the South Wales NUM during the 1984/5 miners' strike. I was entrusted with taking the collections made by ASLEF members to Emlyn's office and was always inspired by him. He was the man who asked, 'Why should men who risk their lives, who work hard, who produce a commodity essential to British industry, not be paid accordingly? And if the answer is that society cannot afford it then my reply is that society must be changed so that it can afford it.' He had an idealism, an openness and a commitment to democracy that I hoped might rub off on his former assistant, the current MP for Pontypridd.

Emlyn would not have attacked a legitimate non-government organisation in order to save his own skin. He would not have smeared JFC, which campaigns for human rights, workers' rights and the search for peace with social justice in Colombia – and which, crucially, supports and promotes a peaceful politically negotiated settlement. He would not have put in jeopardy JFC's ability to send future delegations to Colombia, missions that are crucial to legitimising Colombian trade unionism.

Emlyn would have accepted readily that the job of a politician is to work for his constituents and his party. Being an MP or a minister is not an ego trip that makes you superior: it is a job, a responsibility and a privilege. That includes telling the truth – and admitting with a good grace when you have not done so.

KEITH NORMAN
GENERAL SECRETARY

London Midland will remedy Silverlink pension errors

London Midland has agreed to address the deficit in the pensions bequeathed by former franchise holder Silverlink. Here Bletchley Branch Chair **Graham Cooper** explains the background and satisfactory outcome to this long-running dispute



THIS dispute began some years ago when Silverlink incompetently misapplied pension payments. They paid the correct amount, but in the wrong way - and then couldn't retrieve the wrongly apportioned monies. Their solution was for our members to meekly accept worse pensions in retirement. Management pensions were - unsurprisingly - unaffected!

The union trawled through disinformation for around two years before we were able to show that around £1.4 million was needed to remedy the position. National Express Group refused to take responsibility for their mistake, choosing to 'cut and run' when its franchise ended last November. After a 90% vote in favour, ASLEF called six one-day strikes commencing on 26 October.

Most of us hadn't been on strike since BR days and others are new to the industry and the union. The company thought they could divide us because Silverlink's errors only affected pre-1997 staff (about half of us).

At Bletchley and Northampton Driver Managers were deployed during the ballot to 'discuss' the company's position with our members - but many drivers were affronted that management weren't interested in a dispute that didn't affect them directly.

It was testament to the strength and solidarity of our more recent members that Silverlink soon abandoned plans to organise strike-breakers. They produced just six diagrams of repetitive work of up to 12 hours (our maximum turn length is 10 hours) for Driver Managers to drive 'all stations' between Tring and Euston. So now we have

a good idea of what turns of duty might be like without a union!

DAYS OF ACTION - AND BARBECUES!

The three strikes proved 100% solid. A whopping 75 Bletchley branch members picketed at various times. A feature of the Bletchley picket line was a weekly barbecue beginning at four in the morning! It was manned by 'PC' Adams with Dave Eckersley brewing up from his camper van. The Northampton picket line was refreshed by Graham Croucher, Sue Coueslant - and latterly by Lee Probert and his RMT conductor colleagues. Food was also donated by passing well-wishers. Northampton North Labour MP Sally Keeble visited, and there was a marked representation of post-97 recruits and an impressively high number of female members. Our 'rank and file' truly took ownership of the dispute!

PICKETS BECAME PARTIES!

Expressions of hostility were few at Northampton and non-existent at Bletchley. In fact there were many supportive 'toots' from bus drivers, fire engines, postal workers and motorists. One senior citizen offered a donation, explaining his eldest son had been a railway ganger in north London. Spirits were buoyed by news that some Watford Driver Managers (ASLEF members) had declined to drive trains. Pickets remained at both locations throughout the day.

Throughout the action, we had not a single strike-breaker so our picketing became a social gathering - the 'place to be'! Bletchley

driver Colin Kempster even provided a guitar and vocal performance. Sometimes there were upwards of 30 people present but we maintained friendly relations with visiting Constabulary.

District Organiser Mick Whelan, EC members Dave Calfe and Simon Weller and National Organiser Andy Reed came to the Bletchley picket and 'Calfey' also went to Northampton. Ipswich branch Chair Andy Derrit drove across to deliver much-appreciated strike badges for every Bletchley member. During the course of the dispute 100 branch members (out of 179) picketed at some point. Of 44 drivers outbased at Northampton the picket there never featured less than 25!

TALKS BEGIN IN EARNEST

Strikes were suspended in November when the new franchise holders - London Midland and London Overground - invited the union to 'constructive talks'. Over the next three months LM acknowledged the problem and committed funds to correct National Express Group's error. However the company stopped short of funding the full amount, requiring a 'shared' response. The union insisted that our members shouldn't pay for a managerial mistake. A further 48-hour stoppage was called for 28 and 29 February.

Three days before this London Midland agreed to address the deficit in full. It is a satisfactory outcome for ASLEF and brought to an end a dispute that involved every tier of our organisation.

District officer Mick Whelan says he is 'still amazed and humbled but not surprised by what drivers will do to support each other'. Bletchley exemplified what unity and solidarity can achieve. It will become part of ASLEF's collective memory and history. We wish our former colleagues at Watford and Euston, and conductor workmates, similar success in their pensions dispute.

Finally thanks to EC member Simon Weller for updating the Silverlink dispute website; to head office for organising the block texting of members; and to our EC member Dave Calfe and officer Mick Whelan.

But most of all our thanks go to our rank and file members. Their tremendous solidarity ensured that our elected representatives negotiated from a position of strength.

Winds blow containers from freight trains

THE union says it is 'very concerned' about the safety implications of two incidents on the first weekend of March involving containers being blown off freight trains in high winds. The incidents happened at two locations Cheddington in Bedfordshire and Hardendale in Cumbria.

'We are unaware of any such incident happening before – and need to be assured that it will not happen again,' says ASLEF general secretary Keith Norman.

Neither driver was aware that a container had been blown off, and in one case a train ran for 40 miles after the incident. At Cheddington a Class 56 loco

was pulling 20 flat wagons at about 70 mph when it lost two empty containers. The detached containers blocked the running lines and caused damage to overhead line equipment.

At Hardendale Quarry a freight train consisting of two Class 86 locomotives hauling 20 container flat wagons, lost five empty containers while travelling at about 70 mph. They also blocked running lines and again caused damage to overhead equipment and track.

'We are fortunate that these incidents did not lead to injuries or worse,' Keith says. 'Drivers in the area would have no idea that lines were blocked by



containers.'

The Rail Accident Investigation Branch (RAIB) has begun its enquiry. Preliminary investigations rule out faults with the driving or maintenance of the train, or the condition of the track. Common factors include high cross-winds, the location of

the incident sites on embankments, the unladen condition of the containers, the type of wagon involved and the running speeds of the trains. The RAIB says, 'The ongoing investigation will focus on, but not be limited to, the aerodynamics effects of the cross winds on the containers, the design of the wagon, how containers are retained on wagons and any operational restrictions on container wagons in high winds.'

'We await the outcome of this report with concern,' Keith says, adding that the union would not comment further until it had received the RAIB report.

A day is a long time in transport!

ON 26 February press reports were rife that First Great Western (FGW) - voted the worst service in Britain in January - was close to losing its franchise after it misled the public over service standards. Transport secretary Ruth Kelly today ordered FGW to buy more carriages, increase passenger compensation payments and hire more staff - or else the franchise would be terminated.

The following day FGW won two awards at the annual HSBC Rail Business Awards! This was presented 'in recognition of its major £143 million investment programme to improve its high-speed train fleet'. It also welcomed the company's 'unprecedented investment to raise the standard of its inter-city train fleet, significantly improving the reliability of the trains, as well as creating extra seating capacity, and enhancing the on-board environment



for customers'.

Weird? Not for the rail industry.

The day after the HSBC Awards, Network Rail was fined a record £14 million for the problems in the New Year when engineering works overran at Rugby and Liverpool Street in London. That was announced at seven in the morning.

At noon NR's chief executive Iain Coucher went off to the Palace to be given a knighthood at Buckingham Palace for his services to the rail industry!

LUL hearing aid trial hailed a success

WEARING a hearing aid is not a bar to being able to drive safely and comfortably, London Underground (LUL) has concluded at the end of a trial. District organiser Steve Grant says this is the outcome ASLEF sought. 'It means that Train Operators with hearing problems will at least have a chance of being able to continue to drive,' Steve says. 'This was not previously the

case.'

In future this will be offered as a 'reasonable adjustment' to train operators who develop hearing problems that can be mitigated with a hearing aid, and where the Train Operator is comfortable driving with the hearing aid in operation.

Cases will be dealt with on an individual basis.

SQUASH UP THE EAST COAST

Nick Craven of the NXEC Company Council reports that the local union has set up a Joint Working Party to study the driving cab work station.

'Some progress is being made with a 'bodymapping exercise by our health and safety rep at Newcastle,' Nick says. 'This is something we intend to expand throughout the company at a later date.'

JAIL FOR TRAIN 'CHICKEN' STUNT

A man who played 'chicken' with an oncoming train on a level crossing has been jailed for six months. Andrew Ogden, 21, of Chorley, Lancashire, stepped in front of the train - which was travelling at about 50mph - and raised his arm.

Driver Chris Hollows braked sharply but thought he had struck Ogden. Chris was off work for a week as a result of the incident, which happened at Rylands Crossing in Chorley on the Blackpool to Manchester Airport route. Ogden - who was caught on CCTV - had been drinking and said he did it 'for a laugh'.

COMPANY NEWS

The Executive sanctioned Rest Day Working in CrossCountry Trains until the end of last month 'for the sole purposes of covering CrossCountry services and subject to continued monitoring by our representatives and compliance with the relevant rostering agreements.'

In Company Council elections, the following members were elected: Bro A Roberts, Saltley Branch - CrossCountry Trains, Company Council Representative. Bro D Feldwick, West Brompton Branch and Bro A Viner, East Finchley / Golders Green Branch - LULTrains Functional Council. Bro A King, Crewe Branch - Freightliner Heavy Haul Local Rep - Western Constituency,

Rail action day spotlights Iranian trade unionist prisoner

THE International Transport Federation (ITF) Day of Action on 6 March concentrated on the plight of the imprisoned Iranian trade unionist Mansour Osanloo. A series of coordinated events across the globe brought wide media coverage on radio, TV and the internet – and demonstrated vividly to Osanloo and that he is not alone and not forgotten.

'These individual initiatives may not have had an immediate impact,' said Keith Norman. 'But collectively they will have encouraged and strengthened the resolve of Osanloo and his supporters - and indeed all trade unionists facing tyranny and repression.'

The protests were reported by news agencies as far apart as Turkey, Azerbaijan, Belgium, Russia, France, New Zealand, USA, Italy, Indonesia, Angola, Spain, the Netherlands, Argentina, Colombia, Australia, Austria – and Iran. Radio coverage came from the BBC World Service, Voice of America radio, Radio Liberty and Radio Farda.

In London, demonstrators, including ASLEF members and officials, massed at the Iranian Embassy and leaflets about Osanloo were distributed in



Stuart Howard, ITF Assistant General Secretary outside the Iranian Embassy in London

cities throughout the UK. ITF affiliates like ASLEF, RMT and TSSA were joined by representatives of Unison and Unite, as well as Amnesty International, which has declared Osanloo 'a prisoner of conscience'.

In Iran eight of the 10 independent unions participated in the protests – something that had never happened before.

Mansour Osanloo, 48, is the elected leader of the Syndicate of Workers of Tehran and Suburbs Bus Company, a trade union founded three years ago. Even though the organisation is free, democratic and legal it has been violently attacked by Iranian security forces. As a



Protesting outside Parliament are MPs Clive Betts, Laura Moffat and Katy Clark, along with Stuart Howard (ITF), Jeremy Dear (NUJ), Owen Tudor (TUC), Keith Sonnet (Unison). Andy Reed was there for ASLEF.

result of his work Osanloo has been beaten, arrested and had his tongue sliced as a warning against speaking out. He is being held in Evin Prison in Tehran, where he is in danger of losing his sight in one eye due to a previous beating.

David Cockroft, General Secretary of the ITF, spoke of his pride that workers across the world had stood alongside their

Iranian counterparts. 'What they are seeking is utterly reasonable,' he said. 'They want the basic right to belong to a union. The Iranian government's brutal attempts to stifle that call are just making it heard more loudly and more widely.'

● For further information about Osanloo and his union's struggle, visit www.freeosanloo.org



Dutch honour tram drivers who led anti-Hitler strike

EACH year on 25 February Amsterdam commemorates one of the most courageous acts of resistance carried out against the Nazis in any territory occupied by the German army. On this day in 1941, in the most dangerous circumstances, Dutch workers downed their tools in protest at attacks on, and deportation of, Dutch Jews.

The city's tram workers were the brave souls who began the action – and the silence of this central transport system meant

no one could be unaware that a strike had begun.

Soon other public workers, the north's shipbuilders and steelworkers joined the protests, and shops and offices were closed.

The movement was crushed and 25 of its organisers were despatched to concentration camps; many thousands of others were victimised for their action. Last month 3,000 people in the Dutch capital remembered a moment when thousands of



Leaders of Holland's Jewish and Islamic communities

ordinary men and women were prepared to put themselves in mortal danger to do what they knew to be right.



*A mountain of flowers before the statue of the Dockworker. In the background is Amsterdam's Portuguese synagogue
PICS: Els Dekker*

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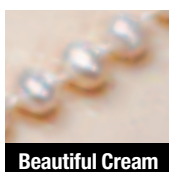
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Fares? stations? Not me, says Transport Minister!

BEN CHAPMAN, the Labour MP for Wirral South last month asked the Department for Transport 'what steps the Department is taking to encourage people to use rail transport - and if the department would consider introducing financial incentives to encourage people to travel by rail'.

Transport Minister Tom Harris replied, 'The marketing of rail services is primarily a matter for train operators. They do this in a variety of ways, many of which involve offering financial incentives through discounted fares.'

In short – the government has no control over the train fares the public has to pay. 'This is another legacy of privatisation,' says GS Keith Norman. 'The government is now a spectator, not an active player, as far as this vital public service is concerned.'



Ben Chapman MP was derailed by the Transport Minister's reply

The point was underlined when Siân James, MP for Swansea East, asked for money to be spent on Swansea's station. She wanted to know – as it is 'the gateway to west Wales and an important mainline terminus' – what he could do to improve the station.

Tom Harris said it was



The public are at the mercy of private train operators

Network Rail's decision but told the MP that she was 'doing exactly the right thing in making the case for Swansea, and I wish her every success in that.'

Ms James was not pleased with the reply. She wasn't looking for a pat on the back. She was looking for an adequate station in her city.

Labour transport group formed

OVER 70 Labour Party members and representatives from a range of CLPs and transport groups - including train drivers union ASLEF - attended the inaugural annual meeting of the Labour Transport Group last month reports political officer **James McGowan**.

The meeting was held during the Party's Spring Conference and - in contrast to the hushed assent which hung over the conference floor - brimmed with enthusiasm and a sense of engagement. Former MEP Mark Watts, who was elected the Group's Secretary, said, 'There was a real buzz of excitement in

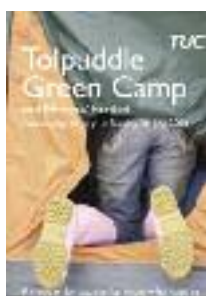
the new group. Elections were contested and over half those attending joined on the spot!'

There is little doubt that transport will be one of the big battle grounds in the next General Election – and Labour needs to ensure it is recognised as the 'champion of public transport.'

Now mechanical engineers call for shift to rail

THE Institution of Mechanical Engineers (IMechE) has joined the growing list of prestigious bodies calling for a 'modal shift' from road to rail. This, the Institute concluded, is essential if greenhouse gas emissions are to be curbed.

'The frustrating thing about all this is that everyone agrees what should be done – but no one does it,' said Keith Norman. 'We don't want sympathy from the government. We want decisive action.'



Tolpuddle Green Camp is back

TOLPUDDLE'S Green Camp is back this summer, giving trade unionists another chance to beef up their environmental credentials in an idyllic rural setting. The course aims to assist people who are interested in making changes at work but need more knowledge and support around what can be done.

The Open College-accredited course is run by the South West TUC and takes place in Dorset from July 16 to 18, with the Tolpuddle Martyrs Festival continuing for the following two days. There is no fee but participants are expected to bring their own tent and pay for their own food and drink.



Post-crash post-cards

IN THE February Journal we asked if anyone had information about postcards printed after train disasters in order to raise funds for those affected. Two months ago we showed a card that has been produced after a crash at Sharnbrook in February 1909.

Former Driver F. C. Best, a driver/fireman for 48 years, sent us this postcard which commemorated an accident at Tonbridge Junction on the South Eastern Railway 99 years ago – on 5 March 1909. It was given to him by his father, who worked on the railways for half a century.

He tells us, 'My father said these cards were sold at the pay desk for 2d each. The money raised went into a fund to assist the families of the dead and injured railway staff. They needed it in those days because there was no social security or anything like that.'

'I'm not sure, but I think the postcards were only sold within the firm. I don't think they went on general sale to the public.'

Labour members oppose 42 day detention plans

AN overwhelming majority of Labour members, supporters and left-leaning voters oppose the government's plans for detention of terrorist suspects for up to 42 days, according to a survey conducted by think-tank Compass.

The survey of 800 people found that:

- 40% favour keeping the current 28 day limit
- 45% would like to return to the 14 day limit that existed before 2005
- 9% backed the government's 42 days maximum detention period.

Minister accused over Colombia military aid

LAST month the Foreign Office posted a picture of junior Foreign Office minister and ex-miner Kim Howells on its website. It had been taken during a visit the Pontypridd MP made to Colombia – and it showed the happy Welshman surrounded by troops from the Colombian army's High Mountain Battalion.

This is one of the most notorious military units in the country, and is associated with the killing of trade unionists, peasants and anti-narcotics police.

The Wales TUC invited Kim Howells to explain why he chose to visit this particular group – but he has gone uncharacteristically silent. Meanwhile the Unite union in Wales has said it will not support him in future elections because of his involvement in sending British military aid to Colombia – the most dangerous place on earth to harbour trade union sympathies. It is calling on its members not to campaign for him at the



Junior Foreign Office minister Kim Howells with troops from the Colombian army next election.

The government has not revealed the cost of British military aid to Colombia but it is thought to be around £1m a year. Kim Howells told Parliament that some of this money goes to root out 'abuses' in the Colombian armed forces.

Justice For Colombia, to which ASLEF is affiliated, has called for Britain to end its military support to the country.



Photo: Sam Martin

General Secretary Keith Norman met Ken Livingstone last month to assure him of the union's active support in the forthcoming election for Mayor of London. 'I know Ken has his critics,' Keith said, 'but it is thanks to him that London has an unrivalled transport system and a reputation for being one of the most lively and attractive capital cities in the world.'

'Besides,' he added, 'the alternative is Boris Johnson!'

Remembering those who died at work

Workers Memorial Day is once again being marked on 28 April at various venues around the country. The theme for this year is 'Good Occupational Health for All Workers'. The purpose behind the Day has always been to 'remember the dead: fight for the living' and the TUC has asked unions to focus on both areas, by considering memorials to all those killed through work but at the same time ensuring that such tragedies are not repeated. 'The best approach is to build trade union organisations, and campaign for stricter enforcement with higher penalties for breaches of health and safety laws,' says TUC general secretary Brendan Barber.

In London trade unionists will gather at 1030 beside the Tate Modern and march to City Hall for a rally by way of the Health and Safety Executive (HSE) headquarters in Southwark Street. In the north east events will be held in Immingham, Grimsby, Cleethorpes and Rotherham. In the North West there will be activities in Manchester, Liverpool, Preston, Chorley and Oldham. There will be a wreath-laying in Hartlepool and in Scotland events will take place in Greenock and Bathgate.

Further details are available on the TUC's website at http://www.tuc.org.uk/h_and_s/tuc-11563-f0.cfm

Bill Ronskley, who is organising the North East events, says, 'Between 2006/7 there was an increase of 11% in the number of people who died at work. 241 people never came home, not counting our fellow workers who drive for a living, because they are counted in the statistics for road traffic accidents. It is important that we mark all their passing, and express our determination that all workplaces should be as safe and healthy as humanly possible.'

PENSIONS: NO GOVERNMENT VIEW YET

Gwyneth Dunwoody, the Chair of the Transport Select Committee and a member of the ASLEF group of MPs, asked the government last month what assessment it had made of the Railway Pensions Commission's final report.

Tom Harris said it had 'raised some important and complex issues' which the Department for Transport was considering, but added that it was 'too early to comment on them'.

FIVE QUICK READ WINNERS

The winners of the 'Quick Read' competition in the March Journal were Tony Swan (Bournemouth), Martin Moynihan (London) Colin Tarrant (Burnley) B.A. Wheeler (Bedford) and Steve Nichols (Essex).

Waterloo drive home deal on taxis



ASLEF members at Waterloo carried a vote of thanks to Bob Parker (centre, next to district organiser Graham Morris) as they celebrated the news that SWT is to stand by its commitment to accept the outcome of the industrial tribunal ruling about tax and taxis. The tribunal said the company was wrong to refuse to pay tax on the 'benefit in kind' when it provides taxis for drivers on early or late turns. 'We stood together and we won!' was the verdict of district organiser Graham Morris. 'There's a lesson there for us all!'

LUL CASE MEANS EMPLOYERS HAVE TO ASSESS SAFETY – NOT WAIT FOR COMPLAINTS



Victoria Phillips, ASLEF's legal advisor from Thompsons Solicitors ...

THE law says that employers must carry out risk assessments to identify any hazards that might exist in the workplace – they are obliged to evaluate the extent of the risks involved. They need to be proactive rather than just reactive.

But as any ASLEF health and safety rep will know, all too often employers wait until a risk is brought to their attention, or worse still someone is injured, before doing something about it.

Proving that the law is not always an ass, three Court of Appeal (CA) judges have ruled that this is wrong. Bosses have a duty to assess risks to their workers – regardless of whether any potential hazard has been brought to their attention.

It's good news for ASLEF members that the judges made this ruling after examining the case of a London Underground driver who developed a painful condition called tenosynovitis in her right wrist following the redesign of the traction brake controller (TBC) – or dead man's handle – on Jubilee line trains. She can no longer drive trains as a result.

NO EXCUSES FOR BAD DESIGN

LUL did this redesign because there had been problems with strain injuries in the past as a result of operating the TBC. At the time, it consulted some experienced drivers and experts, including at least one ergonomist.

But the main focus of the consultation was the position of the armrest and the adjustability of the driver's seat, although there was also discussion about the operation of the TBC itself. In particular, it was discussed whether it should be capable of operation in both a clockwise and anticlockwise direction, or whether it should only operate clockwise.

At the suggestion of two of the drivers consulted on the design, the end of the handle which is toward the driver when the handle is at rest is 'chamfered' or 'bevelled'. This, the two drivers it suggested, would be more comfortable for a driver when grasping the handle. Unlike other aspects of the design, LUL managers simply accepted this without consulting the ergonomists.

THUMBS DOWN

The problem for the driver whose claim was



considered by the CAI was that, due to the small size of her hands, she found it comfortable to rest her thumb against the chamfered end. Indeed she thought this was what the design feature was for. Other drivers had been doing the same thing from time to time.

No special instructions were given to drivers as to how the thumb was to be positioned in relation to the chamfered end while the handle was under pressure, although drivers were trained to keep their wrists straight to avoid developing tenosynovitis.

After it became clear that it was the position of the thumb that had caused the condition, LUL introduced a new element into the training of drivers, advising them of the need to keep their thumbs tucked under the handle and not to let them rest on the chamfered end.

TRAINING INADEQUATE

The court's three judges agreed that the training provided had been inadequate given what LUL should have known about the risks arising from what the court called, 'the activities of the business'. In other words, LUL should have known a new or redesigned piece of equipment needed to be risk assessed and would require employees to be properly trained in its safe use.

The court ruled it was not enough to provide the training after the risks were

known.

The legal ruling is important because it is about much more than the failure to train drivers in the correct use of the redesigned handle. It confirms that the law requires all employers to proactively carry out risk assessments and not wait to be asked.

The CA said that in general, when compensation claims have been brought by people who have been injured at work and the issue of whether the employer was in breach of its duty of care to the employee, court judges have given insufficient attention to risk assessments.

RISK ASSESSMENTS 'BLUEPRINT FOR ACTION'

The pro-active duty on employers to carry them out became law in 1992. Yet judges have tended to drift back to the position before then, where a risk had to be brought to an employer's attention before an assessment is carried out.

The court said, 'Risk assessments are meant to be an exercise by which the employer examines and evaluates all the risks entailed in his operations and takes steps to remove or minimise those risks. They should be a blueprint for action.'

This is all heartening news for employees and for union safety reps. It's important to use this court ruling to make employers stick to the letter of the law when it comes to protecting the health and safety of their workers.



'We have focussed these pages of ASLEF's Journal to looking north of the border. For many of our members 'devolution' hasn't meant a great deal in practical terms: whereas in Scotland it has made vast differences to people's lives. We hope in these pages to explain some of the political changes and to explain some of ASLEF's priorities for Scotland.

'ASLEF's membership in Scotland has always prided itself on its commitment, activity and loyalty. Our regional organiser, Kevin Lindsay, and EC member Hugh Bradley continue this fine tradition.'

Keith Norman, general secretary

SCOTLAND: PARTNERS, ALLIES – OR JUST NEIGHBOURS?

WHAT IS THE RELATIONSHIP BETWEEN THE UK AND SCOTLAND?

 Historically, relations between Scotland and the rest of the UK are governed by the Acts of Union of 1706 and 1707. The Scottish Parliament was opened in 1999 with the words, 'The Scottish Parliament, adjourned on the 25th of March in the year 1707 is hereby reconvened.' As a devolved parliament, the Scottish Parliament's powers are limited: defence and social security, for example, have been reserved to the UK Parliament. Scotland remains a constituent member country of the UK and its Parliament does not have the right to change this.

WHAT POWERS HAVE GONE TO THE SCOTTISH PARLIAMENT?

 Devolved powers include agriculture, forestry and fishing, education and training, environment, Gaelic, health, housing, law and home affairs, local government, natural and built heritage, planning, police and fire services, social work, some aspects of transport, sports and the arts, statistics and public records as well as tourism and economic development.

WHAT POWERS ARE RETAINED BY THE WESTMINSTER PARLIAMENT?

 The Scotland Act of 1998 specifies 'reserved' issues on which the Scottish Parliament cannot pass legislation. They include abortion, human fertilisation and embryology, genetics and vivisection,

common markets, constitutional matters, data protection, employment legislation, energy: electricity, coal, gas and nuclear energy, equal opportunities, fiscal, economic and monetary system, gambling and the National Lottery, immigration and nationality, social security, some aspects of transport, including marine and air transport, transport safety and regulation, and driver and vehicle licensing and testing, trade and industry, including competition and customer protection, UK defence and national security and UK foreign policy.

WHICH ELECTORAL SYSTEM IS USED FOR ELECTIONS TO THE SCOTTISH PARLIAMENT?

 Elections to the Scottish Parliament use the Additional Member System (AMS). The electorate vote for a candidate at constituency level and a party or individual regionally. The 73 constituency seats are elected using the 'first past the post' system, but the 56 regional members include an element of proportional representation.

WHAT IS THE WEST LOTHIAN QUESTION?

 The question was initially posed in 1977 by former Labour MP Tam Dalyell, whose constituency used to be called West Lothian. He asked how it could be right that a Scottish MP at Westminster after devolution could vote on matters affecting England, but he could not vote on

such matters affecting his own constituency - because they were devolved to a Scottish Parliament. It is now used to question why Scottish MPs at Westminster can vote on English matters while MPs from England cannot influence devolved Scottish affairs.

WHAT ARE THE MAJOR DIFFERENCES IN LEGISLATION AND PUBLIC POLICY NORTH AND SOUTH OF THE BORDER?

 There are many. In education the Scottish Parliament abolished the £1,000-a-year tuition fees for higher education and then rejected the £3,000-a-year top-up fees which apply in English universities. In health it brought in free long-term care for the elderly while Scottish nurses will also get their pay rise in full in contrast to those in England who've been offered a staged increase. The Scots brought in bans on smoking and hunting with dogs well before England. In addition Scotland introduced reforms to mental health law ahead of England as well as introducing a different freedom of information regime from the rest of the UK.

WHAT IS ASLEF'S POLITICAL ROLE IN SCOTLAND?

 ASLEF remains one of the leading voices on transport issues within political debates in Scotland. For instance, the union was instrumental in the Scottish Labour party adopting the policy of the return to public ownership of Scotrail in the 2007 manifesto.



SCOTLAND CAN PROVE WHETHER RAIL PRIVATISATION WORKS

ASLEF is continuing its drive to bring one rail franchise into public ownership at this year's Scottish TUC. If you take a look at the facts and figures, it won't take long to conclude that ScotRail is the obvious candidate for a publicly owned comparator. Thanks to ASLEF pressure, this is now part of the Scottish Labour Party's manifesto. Now is the perfect time to ensure the next franchise is tendered to its correct owners - the Scottish people!

ASLEF has long campaigned for the British rail network to be given back to the public. Privatisation has fragmented a system that is completely inter-reliant and led to the tax-payer pouring more into the industry than was spent under the nationalised framework. For this reason the union has challenged the government to bring one rail franchise in to public ownership to act as a comparator. Then we can see whether the private TOCs (Train Operating Companies) create efficiency and quality, or just profit for shareholders subsidised by the taxpayer.

The self-contained nature of the Scottish rail network makes it the ideal candidate for such a trial. ScotRail accounts for 95% of passenger rail services north of the border. This would mean it would be a regionally self-contained comparator with a defined population using the service. The terrain covered by this franchise is also the most varied meaning the operator would have to deal with all the issues that mountains and flat plains throw at a rail system. ScotRail also receives the largest government subsidy of any of the TOCs. In 2006/07 First ScotRail received £275 million of public money. This makes it the system most



OUR CHALLENGE TO THE GOVERNMENT – TRY PUBLIC!

reliant on government in the United Kingdom. Considering how much public money is invested in the system, it is logical for the public to have ownership of the service.

PUT THE SCOTTISH MANIFESTO INTO PRACTICE!

Thanks to ASLEF lobbying, the Scottish Labour Party manifesto includes proposals for a new structure for Scottish rail. The manifesto explains 'The case for running the Scottish franchise on a 'not for profit'

basis needs to be fully examined as part of the preparation for the next franchise.'

With the franchise due to end on 1 October 2011, now is the time to explore the option. Whilst the manifesto is not an endorsement of a fully nationalised TOC, we believe its principle is looking in the right direction and this part of the manifesto is an endorsement of ASLEF's campaign.

The government is remarkably reluctant to pursue

such an experiment. Rail minister Tom Harris wrote to ASLEF to explain, 'The government has no plans to leave one franchise in the public sector to act as a comparator.'

So what's the government so worried about? If the nationalised franchise were to be outperformed by the private TOCs this would surely act as a new weapon in the pro-private rail arsenal. The refusal to explore a public sector comparator could only act to suggest a fear that a publicly owned rail operator will outperform the privately owned lines raising vast questions over the whole rail industry.

WOULD YOU PAY £719,000 AN HOUR TO LOSE YOUR INFLUENCE?

Last year the public purse supported the UK's privately owned railways to the tune of £6.3 billion. That is the equivalent of £719,000 an hour! Logic suggests that those who pay for something should own it – and control it.

ASLEF's position is that the main financial backer of the rail industry - the state - should run the rail industry. Doesn't that sound reasonable to you?

ScotRail is the best place to start. And if things don't work out? Well the pro-privatisation lobby have won the arguments once and for all. Their failure to take the challenge suggests that even they don't think this will be the case.

Until the government has the courage to take this challenge, the public will continue to fund the TOCs profits.



MAKE MINE A DOUBLE I'd like to thank District Organiser Kevin Lindsay and the members of Yoker Branch 259, for the help and support they gave me while I was studying for a diploma in Employment Law. This was a follow-on course to the Diploma in Occupational Health and Safety I did last year.

What's next? Well, I'm currently studying at Glasgow Caledonian University for a BA in Trade Union Studies, and hopefully I'll graduate in November. Once again I would like to thank everyone in ASLEF for giving me this opportunity to further my education. **Derrick Lowrie Tech IOSH - ASLEF Safety Representative**

LAST OF THE INTERNATIONAL BRIGADE We are sorry to have to report that Steve Fullarton, who was Scotland's last surviving International Brigader, died in Edinburgh last month. His well-attended funeral took place on 7 March in the city's Warriston Crematorium.

ASLEF NORTH OF THE BORDER



EVERYONE WINS WITH PRIVATE RAIL – EXCEPT PASSENGERS AND TAX PAYERS!

The Tories told us that privatisation would bring great benefits to the rail industry. Competition would lead to cheaper services for passengers and the tax payer. Train services would be more reliable. The whole network would be modernised. Has this happened? Well, the facts seem to suggest otherwise ...



THE COST TO THE TAX PAYER

Up to 1994/95 when the process of privatisation began, the nationalised railway cost the tax payer an average of about £1.2 billion a year. Since privatisation, the cost to the state has continuously increased and reached over £6.3 billion last year. This entirely defeats the very premise of a privatised system whereby a private firm invests into the railway in order to make profit from the system. However the government has continually had to increase its subsidies to the private railway owners whilst they continue to deliver profits to their shareholders. So much for private sector efficiency.

The nature of the privatised industry means that more money now leaves the industry as part of the franchising process. Both the Department of Transport and the TOCs pay money to lawyers, consultants and accountants. This money under a nationalised industry would be used to improve the rail network, not to line the pockets of private consultants. Each bid for a franchise costs a company around £7 million. If successful, this cost is refunded by the taxpayer.

RAIL'S UNFAIR FARES

Far from simplifying and reducing rail fares, privatisation has complicated the fare structure and train tickets have increased in price. The current system sees about 40% of fares regulated by the Department for Transport. This occurs where operators are likely to have a high degree of market power and includes tickets such as saver tickets and season tickets. Where rail is one of several options for passengers, fares are unregulated. This accounts for 60% of tickets sold and includes cheap day returns, long distance open and some advance purchase fares.

Train Operating Companies therefore have license to determine the majority of their fares leading to a huge array of different costs for the same journey. A return trip between London and Glasgow has 33 different ticket prices – ranging from £31.40 to £379.00 for a return journey! Often the discounted prices that are promoted by the TOCs are extremely limited and only available at very impractical times. This misleads and confuses passengers.

The reality is that fares have increased dramatically since privatisation. Since 1995 the average fare has increased by 55.4%. In real terms, this is an increase of 13.1%. Unregulated fares have increased by 62%. In real terms this is an increase of 17.9%.

Since privatisation fares have continued to increase rates at far higher than inflation rather than decrease due to the apparent competitive nature of the private sector. It should be of no surprise that the fares that are not regulated by the Department for Transport have increased at a far higher rate.



EVERYTHING'S SQUEEZED BUT THE PROFITS!

One of the main areas of concern over the past 10 years has been the problem of overcrowding on trains. Passenger numbers have grown by 40% over the past 10 years. The Train Operating Companies have done very little to deal with this increase in passenger numbers. Once again it has become the responsibility of the taxpayer to increase capacity. Ruth Kelly announced plans this January to devote over £10 billion by 2014 to building extra capacity on the network including 1,300 extra carriages. Whilst passengers have dealt with increasingly cramped and uncomfortable conditions, TOCs have been making profit rather than re-investing in additional carriages. The amount of money taken out of the industry could have financed these developments without the bill being footed by the general public.

The money taken out of the industry could have also financed the North-South high-speed rail link. Plans for the project have been cancelled due to a report by Sir Rod Eddington. Previous reports published by the Strategic Rail Authority found that whilst the project may well have had costs of £33 billion, it will have served to reduce the North-South economic divide. The 200 mph service will have reduced the journey time from London to Edinburgh to just over two hours. Perhaps it is worth noting that Sir Rod Eddington is the former chief executive of British Airways.

The public are receiving the worst of all worlds. Train Operating Companies are making profits and taking money out of the industry. Trains are increasingly cramped. Fares are increasing. And during all of this, the state is paying far more into the railway system than when it owned it. Private rail offers one winner, the shareholders of the TOCs. The only losers are passengers and taxpayers.



STRETCHING THE BONDS OF UNION

WITH typical understatement the Prime Minister said at the start of the year that 2008 will be an 'important year for the union.' In fact it's likely to be one of the most seismic of the post-devolution era as a range of issues such as the continued rise of provincial nationalism, the introduction of a local income tax and southern resentment of more progressive social policies north of the border stretch the existing devolution arrangements to the limit.

ASLEF members will be aware that the Scottish Government receives roughly £30bn a year from the UK Treasury and the question of how it is raised and spent and who has responsibility for it remains controversial. The Scotland Act 1999 allows the Scottish Government to increase taxes by 3% although the Labour administration between 1999 and 2007 chose not to do so. Gordon Brown recently said that the Scottish Parliament should have further tax raising powers and said there was a 'very strong case' for a review of the constitution after 10 years of devolution. We await the details with interest.

TAXING TIMES

The SNP's intention to replace council tax with a local income tax has, unsurprisingly, provoked considerable debate with the nationalists claiming that the 3p in the pound would be collected nationally and then redistributed to the Scottish Government. What they haven't considered is the enormous



First Minister Alex Salmond pledged to replace council tax with local income tax

scope for tax avoidance from those with the wherewithal and good accountants. A further spanner into proceedings were the comments from Westminster Work and Pensions Secretary James Purnell, who is threatening to withhold the £400 million Scotland receives in council tax benefit. I take the view that this is a modern day poll tax which will hit ordinary working people most. For instance, the average train driver in Scotland – and any other earners in the household – would be liable for an additional £1,000. Working families stand to be thousands of pounds a year worse off under the SNP proposals.

SOUTHERN RESENTMENT

In addition the distinct range of Caledonian social policies such as free personal care, free higher education and free prescriptions for the long term sick (a policy borrowed from Wales) have provoked resentment south of the border as have disparities in public sector pay between the two countries. Elsewhere emerging differences on policies from the renewal of Trident to Public



Labour Scottish Parliament leader Wendy Alexander under fire over devolution plans

Private Partnerships (PPP) and the proposed repatriation of powers such as immigration, broadcasting and the control of firearms aligned with the unstinting opportunism of First Minister Alex Salmond are likely to result in what Scottish political commentator Iain McWhirter has called 'legislative dissonance.'

Wendy Alexander's observation that devolution was



Pensions Secretary James Purnell is threatening to withhold £400 million from Scotland

a 'process and not an event' and Labour's participation in the cross-party Constitutional Commission to extend home rule point to a gradual momentum for a shift in power although it's worth bearing in mind that Scots voted for unionist parties at the last election by a ratio of two to one.

Kevin Lindsay

ASLEF's Officer in Scotland

SPUDS WE LIKE A potato supplier based in Elgin – the Higgins Group – has decided to use rail freight to move its produce to Snetterton in Norfolk. EWS now shift 300 tonnes of spuds for the company. The company says it made the decision because of its frustration with using lorries.

BORDERS RAIL LINK PRICE DOUBLES MSP's learned this month that the cost of the Borders rail link could end up costing £295 million – more than twice the original estimate. The completion date has fallen back from 2011 to 2013.

Sometimes you wonder exactly why the government has such faith in the efficiency of the free market!

RAIL BIDS TO BUY DISUSED TRACK! The insanity of rail privatisation just goes on and on ...

Last month publicly-owned track operator Network Rail announced that it intended to make a bid for a section of disused railway land at Abbeyhill and a former brewery railway siding at Haymarket Station.

And who was selling this land? The property arm of the now defunct British Rail!

So thanks to privatisation, public Network Rail will be spending your money to buy land which you owned when British Rail was public!



WILL YOU BACK OUR 'ONE PUBLIC FRANCHISE' CAMPAIGN?

We're asking everyone who reads these pages – in Scotland or anywhere else in the UK – to contact their MP, MSP and/or Welsh Assembly member to ask why the government is so afraid of putting a single rail franchise into public hands.

Is it scared that the private rail operators would be revealed to be wasteful? Does it have an agenda against public service? Or is it simply not concerned about the UK's railways?

To do this comparison exercise would cost the government nothing – as it could simply take over a franchise whose term is ended.

We believe the only losers would be private speculators in a public service – and our challenge to government is: try to prove we are wrong.

What are they afraid of? The truth?

KEEPING TRACK *WHAT THE UNION WAS DOING 100 AND 50 YEARS AGO*

In this Scottish-themed edition, we resurrect a bout in the century-old tiff between our union and the Amalgamated Society of Railway Servants (ASRS). 50 years ago the Journal reported fears that the UK was becoming an American satellite ...

100 YEARS AGO

The April 1908 Journal saw Organising Secretary Jno. Drummond removing his gloves for a mysterious spat with the ASRS ...

"I must refer to a paragraph in the R.R. and say that "Rob Roy" refers personally to me and what the A.S.R.S. has done for me. It is the first time I knew it; but to refresh "Rob Roy's" memory, I may tell him I am prepared to prove that I have done more to modify eye-tests, secure higher wages, promotion on right lines, and other items connected with my employment, than any other locomotive-man in Scotland. I left the employment four times by voluntary acts; so did he once. He should be careful in alluding to voluntary acts, because I resided not 100 yards from him for many years, and I remember what he did when in the Scotch Society, and the start of the A.S.R.S. for England, Ireland and Wales, in Stirling Road. Were you not the first branch secretary, Rob? And do you remember starting a Ploughmen's Union at Bishopbriggs? Was it you, Rob, who said that the whole of the responsibility of safe working of railways depended upon the signalmen, and that if a driver was able to crawl up on the footplate he would get 7/- per day? Your meaning, I take it to be, that no matter what physical condition a driver was in he was able to perform his duties. Did a member of Glasgow (A) Branch take you to task for that

statement, and ultimately did you not have to apologise for making the same? Now "Rob Roy" McGregor, learn a lesson and try and be a gentleman and keep your word that all men are brethren."

50 YEARS AGO

W. Monslow MP blasted off this warning about weapons and US dominance in the Journal of April 1958 ...



"The decision of the Government to allow missile sites in Britain is criminal madness. We are fast becoming an American satellite. This island is indefensible against nuclear attack and is apparently now to rely on American protection. So long as this

island is prepared to follow the Foster Dulles policy at international conferences, we cannot hope to give moral leadership to a world in which fear manifests itself so blatantly today. What an illusion to think that the manufacture and/or possession of the Hydrogen Bomb by this country can make a contribution to stave off disaster! I never have accepted the view that the Hydrogen Bomb is a deterrent, and the Defence White Paper, 1958, now states we shall, even if only conventional weapons are used by the Russians, release the Hydrogen Bomb. What criminal lunacy! Is this not a direct invitation to the Russians, if they have such a mad intention as to create circumstances to produce a third world war, to strike at once with the Hydrogen Bomb?"

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MORE REASONS TO SAY NO TO MONSTER TRUCKS



Despite all the evidence, the government steadfastly fails to get round to making a decision on whether to allow 60-tonne lorries onto UK roads. The union argues that the move would be dangerous to other drivers, further clog up roads, be bad for the environment and adversely affect rail freight traffic.

The evidence against these monster trucks grows by the day. The latest concern is evidence about the damage to rail bridges caused by existing large lorries

BIG TRUCKS AND LOW BRIDGES DON'T MIX!

Last month, nothing unusual happened in Grantham. Well, a truck caused chaos by hammering into a railway bridge. But for Grantham, that's normal. In fact, the town has three bridges - Springfield Road, Harlaxton Road and Barrowby Road - that feature in the UK's 'Most Struck Bridges' Top Ten! Between them, these three were hit more than 60 times in 2007, causing traffic tailbacks and delays for rail users. The bridge in Springfield Road alone was hit 31 times!

It's quite a problem for this Lincolnshire market town - and if lorries are allowed to get bigger, heavier and longer it risks becoming a worsening major national problem.

A decade ago there were 885 collisions a year. Now that figure is 1,340. Network Rail (NR) estimates that this causes £15million of



damage a year - and wastes 5,000 hours of train passengers' time.

HOW DOES IT HAPPEN?

NR says 32% of accidents happen because drivers are unaware of the height of their vehicles, 26% because lorry-mounted crane arms are left raised and 11% because drivers fail to drive in the centre of the road to allow for an arch. Other fingers are pointing at satnav technology, blaming it for directing vehicles to a particular route. Whatever the truth of these debates, the fact remains that if lorry sizes increase, the bridge problem will rise with them. Another problem that lorries

cause on every road except motorways is collisions with overhanging wires. BT contacted the union last year to say that it costs the telecom giant a fortune to replace wires that hang over roads - it says the cost of burying them all would be 'unthinkable'.

WHY WE OPPOSE THE MONSTER TRUCKS - A SUMMARY OF THE UNION'S ARGUMENTS

● **LHVs will mean more lorries and more pollution** Previous increases in lorry dimensions have led to an increase in HGVs driving around less full. Over 25% of lorries are running around empty.

● **The claimed environmental benefits of LHVs rely on very high levels of load utilisation.** German trials have shown that utilisation over 77% for LHVs was needed for fuel costs to breakeven. In 2006 in the UK HGVs over 33 tonnes were only 73% full.

● **LHVs have dangers of their own due to their size and lack of maneuverability** DfT research showed that because of their size and weight, when they are involved in accidents the level of injury tends to be higher and HGVs were twice as likely to be involved in fatal accidents as cars..

● **Stability of LHVs** We question the stability of double trailer vehicles. In 2006, the equivalent of one and half HGVs per day overturned, and in 2006 no less than 125 HGVs jackknifed.

● **Public Opinion** The public is opposed to bigger lorries being allowed on UK roads - an ASLEF survey last year showed 75% did



not want them.

● **Longer heavier lorries will have minimal impact on road congestion**

An average freight train can remove 50 HGVs from our roads.

● **LHVs will undermine rail freight - which has a much better environmental record than road** Per tonne carried, rail produces five times less carbon emissions than road traffic. Rail freight is also up to 15 times better than road in terms of other noxious emissions.

● **LHVs could undermine container and bulk rail freight.** Road haulage has a poor record in complying with existing road regulations

● **Many HGVs do not follow existing road regulations ranging from exceeding speed, weight and driving hours limits.** In 2005 on major non built up single carriage roads 76% of articulated HGVs exceeded



the 40 mph limit by an average of 6mph.

● **Trying to restrict LHVs to dual-carriageways and motorways will not work** There is no mechanism to keep them to these roads and the type of road has not been clarified. Besides, these vehicles will always need local access to distribution hubs which would not be on a motorways or dual carriageways.

● **HGVs are up to 160,000 times more damaging to road surfaces than the average car** Also there is no evidence about damage to underground structures like gas and water mains. (including gas and water mains, electricity and telecommunications caused by existing HGVs as well as the noise pollution that would be associated with even larger vehicles.

Thanks to Philippa Edmunds at Freight on Rail (FoR) for background research. The FoR website is www.freightonrail.org.uk

Port Talbot branch – active at 100!

The Port Talbot branch is 100 years old in 2008 and it will be celebrating with a members' dinner and by striking a badge. The branch incorporates former branches at Llanelli, Pantyffynon, Dyffrn Yard, Tondur, Neath and Swansea East Depot as well as Port Talbot itself. It has set up a web site to post pictures of all Margam area staff, past and present at <http://margamrail.fotopic.net>. Anyone with pictures of themselves or work colleagues who would like to display them should contact the branch via the website.

Meanwhile we would like to thank - and pay tribute to - Clive Jones for his many years of hard and dedicated work on behalf of ASLEF and its members. He has always been a pure professional, with his calm, well-prepared and sober manner and his renowned IT and paperwork skills. We wish both Clive and his good lady wife Steph well in the years to come - but we hope that he will continue his work for the Labour Party, Trades Council and Retired Members' Section.

On a more sinister note the branch is concerned about what EWS seems to be doing to our most vulnerable members. The company is hell-bent on head-count reduction and sees our green card and long-term sick members as easy targets. They are being picked out, removed from safety critical positions and offered jobs hundreds of miles away. This is to satisfy the 'duty of care' legal clauses before



Colin Davies 'CS Gas' - Dai Evans is driving



Jack Sincock



Gary Davies, Dai Williams and Wayne Tucker in their new FGW uniforms



Alan Jefferies at his retirement with Clive Jones and Ernie Smith

putting our members on notice to finish if they do not choose to move.

The company is ruthless in its approach: it is refusing to carry out local risk assessments to accommodate our members which in some cases would easily lead to a return to work. BUPA is being used as a tool to help displace staff. This is affecting members at many EWS depots apart from ours - so please be aware and act accordingly. If the EC

does not nip this in the bud it could open the floodgates for other companies to follow suit.

On a brighter note, the company has agreed to a naming ceremony at Margam. Our resident Class 08 is being named in honour of Bob Brown, a popular ASLEF member who passed away on duty two years ago.

Duane Curtis - Secretary - Port Talbot branch



RMS – JUST THE TICKET!

THE Retired Members Section's Annual Draw is underway and with prizes of £1,000, £500, £200 and a Eurostar ticket to Paris - it's well worth having a go at £1 for a book of five tickets. Branch secretaries or individual members can obtain tickets from any RMS committee member (see ASLEF diary for details) or from Equalities Advisor Sharon Allen at head office.

The draw will take place at the RMS annual meeting in November and proceeds will go towards funding retired members' campaigning work

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www.aslef.org.uk

STRATFORD REUNITED

IT WAS pleasing to see so many people attend the Stratford Reunion. They had travelled from all over the country. Some even came as far as Scotland to meet up with workmates, have a beer and enjoy a good chin-wag. These are things railway workers are very good at!

Presentations of certificates and tankards were made during the evening to J. Hackett, M. Ashworth, P. Abbott and J. Porter. They have all taken early retirement from EWS. We wish them well for the future.

Our thanks to EWS for supplying the buffet, and our gratitude to Tom, Jan and all the staff at the Railway Tavern for their hard work in making us so welcome.

P. J. Dodgson – Secretary – Stratford Branch.

HITHER GREEN 2 MAY

THE Hither Green Traincrew and Welfare Social Club has arranged for the Hither Green annual reunion for 2008 to take place on Friday 2 May at the Hither Green Railway and CIU club in Beacon Road, Hither Green, commencing at 1900.

Everyone associated with Hither Green, past or present, is welcome to attend. For further information contact J. E. Staggs, Secretary of the branch.

NO SPARRING AT LEAMINGTON

THE Leamington Spa Branch were pleased to welcome London Midland Company Council Secretary Alan Griffiths to their Branch Meeting on 2 March.

After the conclusion of our normal branch activities, Alan was invited to take the floor, and spoke on a number of issues. He began by talking about relations between the Company Council and the



management of the newly-formed London Midland and offered an update on the new company uniform, supply of name badges to Drivers and non-duty day working (monitoring and violations). He also informed us of progress on the SMED systems and proposals for 'no-points' arrangements before moving on the cover discussions on the agreements for the new IVRS radios, the Grievance procedure, pay talks, terms and conditions and pensions. Alan concluded with a review of the SQUASH campaign with reference to cab conditions on London Midland units.

Alan was also very pleased to present Driver Richard Hopkins, with his 30-year ASLEF badge.

The Chairman and Secretary of the branch thanked Alan for his visit and hoped that they could welcome him to another Branch Meeting in the future.

Nick Walker – Reporter - Leamington Spa Branch

RIPPLE SOCIAL

THE third Ripple Lane social evening will be held at the LT club at Hornchurch on Saturday 19 April from 1930. Tickets are £7.50 from Steve Wilson on 01708 445000 or John Smith on 01375 676516. Everybody welcome.

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YOU TELL US

These are the pages where you talk to us. We welcome your letters, either by mail to the Journal at 9 Arkwright Road London NW3 6AB or by email to journal@aslef.org.uk

Because of our space constraints, please try to keep your contributions as short as you can.

This month we continue our STAR LETTER feature. The immensely lucky winner will pocket a rich range of ASLEF regalia!

DEFEND OUR PENSIONS

CONGRATULATIONS to Bro Jim Peters (March Journal) for sharing his excellent views on the pension commission's final report.

It is clear from the report that all of us - non-safeguarded and safeguarded, frontline and those behind - will be affected by the proposals in one way or another. It is paramount that members stand firm and united against any proposal that seeks to undermine our excellent and hard-fought-for pension scheme.

It is for us all to ensure that our branches, company council reps and ASLEF negotiators fight to retain the scheme as it is - open to all regardless of rank and based on final salary. Any division amongst us will be exploited to the full by those who seek to save money, which will ultimately pass to those shareholders who only want to see a better return for their investment regardless of what it means to the workforce. They will be the only winners if we accept anything less than what has been put forward jointly by our union and its sister organi-

sations.

I urge all members to make their voices heard at branch level and protect themselves and future members from this attack.

Peter Flett
Skipton Branch

COMPROMISE ON WORTHLESS PRIVS?

I BELIEVE that 'privs' for newer staff are virtually worthless outside their own company.

75% off Standard Open tickets sounds a good deal - but only brings you closer to the discounted tickets that are available to the public.

I recently took the family to Blackpool from London on a Family Railcard which worked out an incredible 40-45% CHEAPER than using my 'priv'.

I am sure most staff would welcome the return of free travel for all but equally I am sure they would also be just as happy with paying a FAIR price for travel on other TOCs services.

Can I suggest if it's not possible to get free travel then why not let us travel for £10 for a single or £20 return maximum fare on ANY journey - or can

we not get between 25% and 50% off 'cheapest available' ticket rather than the Standard Open fare?

I think it's scandalous that our 'priv' is more expensive than the public pay.

ASLEF- you have my full support on this campaign.

Kevin Campbell
Ramsgate

SPECIAL PEOPLE

FOLLOWING my dismissal from South West Trains in October last year my family and I were overwhelmed by the support and generosity we received from the branches and members of ASLEF on SWT.

I have to give particular mention to my advocates Nigel Cummins and Graham Morris who were both excellent. Mick Berg, Working Branch Secretary deserves a special mention for his tireless work. Within a week of my dismissal he had arranged an open meeting which did much to galvanise the solid support I was to receive. He was also in constant touch. My thanks also are due to Simon Weller, our EC member and Martin Dye and Shaun Seymour of the

company council. There are undoubtedly many others who have contributed to both supporting me and to my reinstatement and my heartfelt thanks to them all.

Without diminishing the efforts of my advocates, I am convinced that the unity and support for me shown throughout SWT was well known by management and played no small part in my reinstatement. You are all stars and I can never thank you enough.

Finally I hope my ordeal has shown that ASLEF is so much more than 'an expensive diary'. None of us know when, or for what reason, we may need ASLEF - but I feel proud to be part of such an amazing union, crammed full of special people.

M. Parkes
Driver - SWT

RIGHT TO SUPPORT PETER HAIN

MANY ASLEF members may wonder if the union made the right decision to support Peter Hain MP in view of the problems he is facing over donations to his failed bid to become Labour's deputy

Not all rosy – but not so bad either!



I'M a Northern driver with just a year to go before I retire at 65, and I'm writing to say that I'm saddened at some of the one-sided criticism of ASLEF in the mess-room. The main moan is 'Why is ASLEF stopping me working my NoD (No Duty) day?' The fact is that there is no 'NoD' agreement - it's called Quality Time Off!

Management asked ASLEF to agree NoD working to avoid cancelling trains while new entrants were trained. This has now ended - but if there was NoD working, there would have been no need to recruit new drivers.

Then there's 'Why doesn't ASLEF listen to me?' The answer is that the union can't listen to you if you sit on your backside in the mess-room. If you've got a grievance, go to the branch and air it. Each branch sends a delegate to ASLEF's annual conference (the AAD) to put forward your ideas. If it becomes policy, your elected Executive Committee will act on it. That's democracy.

You, the members, elect your local and company council reps. They are there 24 hours a day for you, giving up their time, and it's not an easy job. Why not support them instead of knocking them?

At district level our organiser - Nicky Whitehead - is a first-class negotiator who has produced some excellent deals. If I was on a discipline, I know who I'd want on my side!

I'm also saddened to see some drivers joining other rail unions. The RMT want drivers to use as a tool to get low-paid grades more money. Low subs mean low service and low wages!

I'm not saying everything in our union is perfect - but I think I've got a decent salary and pension, I'm entitled to full sick pay for six months and if the worse happens Death in Service is four times my salary. Northern didn't offer this on a plate. It was won by ASLEF members supporting their union - so don't drive a wedge between us and management!

The union stands up for us all. So stand up for your union!

Mal Haith - Driver - Doncaster

leader.

I believe we were right to support him. I remember ASLEF's part in the campaign to free Nelson Mandela from prison, and the part Peter Hain played in the fight against apartheid in South Africa.

The problems he is facing are quite common to MPs – and I worry about the damage it does to the confidence of the public in politicians. At the 2005 election a record number of the electorate did not vote. MPs must work harder to restore public confidence – especially as regards donations.

P. Begley

retired driver – Bedford

SLAVERY BY ANY NAME

I FIND it difficult to understand my own heritage as it is obvious being a black Afro-Caribbean that my family originally came from Africa. Yet my name, my parents name, my grandparent's and great-grandparent's names are as English as any member of the landed gentry – Blake, Cole, Hewitt, Roach and there is no way of tracing my heritage further than that. Believe me I have tried.

Were these our slave names given to us by the families that owned and worked my family? It was common practise for plantation owners and other businesses that owned slaves to give the slaves their own family names.

I would love to delve further into my roots – can anyone

help?

Being unable to trace my ancestry has left me feeling rootless, but this was one of the lesser evils of slavery.

On the ASLEF BEMCC we have come to realise that slavery is still continuing. Modern slavery includes the trafficking of people for forced labour and for use by the sex industry.

So now we must work to end modern slavery and people trafficked to be prostitutes, kitchen workers, maids and labourers living in fear and many of them near-destitution, treated as second-class citizens. Many of them were promised proper jobs with decent earnings so that they can send money home for their families – instead they live enslaved and out of sight, fearful for their lives and of the authorities.

If anyone can understand the plight of modern trafficked

people it is the descendants of slavery, and I urge ASLEF to join the fight against it.

For more information contact Anti Slavery International at www.antislavery.org

Pat Blake
LUL

GOOD VISIT TO HEAD OFFICE

I RECENTLY had the chance to visit union headquarters at Arkwright Road with a

colleague of mine, Eric Nixon of Doncaster branch. It was a great experience. We were given a tour of the wonderful architecture and met members of the EC, staff workers and the General Secretary.

Many thanks to Tosh McDonald who arranged the visit and to everyone at Arkwright Road for their hospitality.

Conrad Willman
retired member – Doncaster

CLASSIFIED ADVERTISEMENTS

To advertise in the ASLEF Journal please contact Sarah Francis on 020 7317 8600 or sfrancis@aslef.org.uk



ASLEF-NUM BADGES – newly struck to support the Justice for Mineworkers campaign. These double-sided badges cost £5 plus £1 p&p and are available from Ray Cooper at 94 Cloonmore Ave, Orpington, Kent BR6 9JQ

ROLL UP! ROLL UP! The ASLEF Retired Members Section (RMS) have launched their Grand Prize Draw. Top prize is £1,000 with 2nd and 3rd prizes of £500 and £200. There are also prizes of tickets to Paris by Eurostar and ASLEF regalia so don't miss out. Tickets are available from Alan Taylor. c/o ASLEF Head Office or by email to SAllen@aslef.org.uk

ASLEF TRAIN DRIVER collects ASLEF/railway badges, signs, shed plates, signalling items, etc. Phone Mark on 01562 746537 or (mobile) 07789301551



COLLECTOR requires ASLEF-Coalville NUM 1984/5 strike badges. Will pay £125. Also selling chrome and gilt badges for Wath and Mexborough at £10 the pair. Contact Barry Jones on 01709 588648 or 25 Windermere Close, Mexborough, South Yorkshire S64 0PT.

DIESEL HYDRAULIC ITEMS wanted by collector. Anything considered, especially speedos, power handles etc. Rob 01822 834 150

ORLANDO – fantastic Villa for rent. For details go to: www.thehavenvilla-florida.co.uk or tel : 0208 441 8526.



DOVER CENTENARY BADGE A limited edition of numbered badges were produced to mark our 100 years these are £5 each Plus P+P. The badges are available from Branch Secretary Steve Deen (dover.aslef@virgin.net)

Change of address form

Name.....

Address.....

.....

.....Postcode.....

Phone.....

Branch.....

Membership No.....

Employer.....

THANKS FOR WATERLOO WIN

I WOULD like to thank everyone at ASLEF headquarters and Thompsons Solicitors for helping me win my claim for reimbursement of tax on the 'benefit in kind' provision of taxis for early and later turns (see March Journal, page 5).

I was most grateful for the support I received for Graham Morris, Tony Holloway and all the staff reps at Waterloo/Nine Elms branch.

Last of all a huge thank you to Victoria Phillips of Thompsons and Rohan Pirani, the barrister.

Bob Parker retired driver –
Waterloo

SPOUSE IS A PERK!

REGARDING Brother A. Gregg's letter (March Journal) about privilege travel, I feel he goes from a passing view on this safeguarded perk to a rant about losing his seniority after changing employer!

I feel that the issue of Privilege Safeguarded and no safeguarded travel is an important one. Take my own circumstances as an example. With a start date of October 1997, I am not safeguarded. Therefore as I work for a passenger TOC, I am only eligible for quarter fare tickets on trains. As a bonus, I now get free travel on all my company's services and as my employer is First TPE the same amount of free travel on any First Group services as a safeguarded member of staff would get across the whole rail network. If I worked for a freight company, I would get none of this.

There is a twist to this. As my wife has been employed on the railway since 1995 (not on the footplate) she is classed as safeguarded. Therefore although I am not worthy of this privilege on my own, I am entitled to it as a 'spouse'. Surely we should all joint together to fight for safeguarded travel for all, whether you work for passenger or freight, footplate or not, before it disappears for good – which it will sooner or later!

Stewart Higham
Wigan

OBITUARIES

KEITH BOWER – ILLNESS BRAVELY BORNE

I REGRET to advise you that my husband, Keith Bower, passed away on 24 December after a long illness, bravely borne. He was diagnosed with Mesothelioma in January 2005 and kept fighting for almost three years.

May I take this opportunity to thank all his former colleagues who attended his funeral in Derby on 9 January. Keith was a very unassuming man and he would have been very touched.

I would also like to thank ASLEF for the help they have given to our family.

IRIS BOWER - Derby

GEORGE STEVENS (1936-2008)

WHEN I heard that George Stevens had died on 1 January, I sent a condolences card from ASLEF and its Retired Members Section to his wife Sue. She wrote to me with a potted history so that I could inform his colleagues of his passing, and celebrate his life.

George was born on 16 June 1936 in Wandsworth. After attending Tennyson Street School, he started on the railway on the 23 August 1951 at Stewarts Lane Loco. George became a passed cleaner on the 27 June 1952 before being appointed Fireman on 23 March 1953. On 4 November the following year he began a period of National Service, rejoining British Rail on 19 November 1956.

He became a Passed Fireman on 21 August 1960 and on 26 November that year he married Sue. George was appointed Driver at Stewarts Lane (Duel Link) on 29 May 1961 and transferred to Victoria Depot on the 30 December 1963.

He retired from Victoria (E) on the 31 May 1997 after service stretching over 45 years, 10 months and 6 days.

George suffered ill health in the latter years of his life. After two bouts of cancer he finally suffered a stroke which hospitalised him. He passed away on the first day of 2008 in Queen Elizabeth Hospital, Woolwich.

Sue and George were blessed with three children and five grandchildren, to whom we all send our condolences. He will be sadly missed by many, including Nod, Dave, Ray and friends and colleagues at Victoria.

PETER SMITH – Reporter - RMS

ARTHUR PARMENTER – BOOT-BOY TO FOOT-PLATE

ARTHUR PARMENTER was born in 1916 in Hutton, Essex. He started work at the age of 14 as a boot boy in a large country house in the village. In 1941 he joined the railway, taking on an engine cleaner post at Stratford. In the course of time he progressed to become a driver.

In retirement Arthur enjoyed travelling and spent many holidays in most parts of world and the UK. He was also an avid whist player.

After living in the London area for many years Arthur moved to West Sussex early in 2007. He died on 4 November last year after a short illness.

HUGHES – retired driver – Selhurst

FRANK FODEN – A MODEL MAN

IT IS with sadness that I report the death of retired driver Frank Foden at the age of 75 who died in hospital following a heart attack.

Frank began his career at Trafford Park Depot in 1951. When the depot closed in the mid-60s he transferred to Newton Heath. Frank was a man of character who was devoted to the loco grade, but he was equally knowledgeable about all aspects of railway work.

When he retired at age 65 in 1998, he was drawn back to steam. He became involved in building a 5 inch gauge model 'Loco Britannia' with his friends at the Urmston Model Engineering Society.

Our thoughts are with Frank's wife, family and friends at this sad time.

S. BLACK – Newton Heath - RMS

JOHN 'HOSS' WALTON – AN ENTERTAINER

IT IS with regret that I announce the passing away, on 13 Feb, of retired engineman John 'Hoss' Walton. 'Hoss', who was 71 when he died, was a larger-than-life character who would cheer up any mess-room on a cold morning. Sometimes he'd even give out a tune on the harmonica he carried everywhere.

He was also well known for playing Father Christmas at the depot's children's Xmas party. He carried this role on into retirement – he loved to do it, and the children loved him.

Over 200 people turned out to pay their final respects to 'Hoss' at his funeral. On behalf of the branch I would like to pass on our condolences to Barbara and family.

NIGEL HARKNESS - Secretary - Wolverhampton branch

FOOTBALL, FISH AND THE FOOTPLATE!

ERIC NIXON'S career at Doncaster has turned the full circle. In 1960 – at the age of 17 – he was the youngest passed cleaner and fireman at the depot. When he retires from his driving job at Northern later this month he will do so as the oldest hand.

'I'll not be sad to go, now,' he says. 'I've done my bit and I'm lucky to have enjoyed my work. So many people see their job as 40-odd hours of torture a week. I've never felt like that.'

He began on the railway in 1958 – just! 'When they measured me they said I was half an inch too short. I held my breath for a moment, but then the supervisor said, 'You'll grow!' – and I was in.'

Early the following year, however, it seemed as if his career was going to end before it began. 'There were eight or nine of us 15-year-old cleaners and one day we were told that we had a choice between redundancy or moving down south – to Hornsey. I don't know what happened – but I'm still waiting for my letter!'

So at the tender age of 16, young Eric was firing. 'I couldn't get enough of it! In fact, when I started the job, I'd have done it for now!

'My grandfather took me on the footplate before I left Bridlington, where I was born. We moved to Donny, my mother's home, after my father was killed in the war.'

Right from the start, Eric took to the job. 'It was varied work, always interesting. I didn't care what I was doing – helping the shed labourers, anything. There was a time I bet I could have built an engine on my own!'

But although Eric's early days on the railways might have been a pleasure, his wages weren't – especially as he was determined to give his three children every chance in life. That involved finding the



Eric today, pictured at the union's North London head office

money to see them through university, which was by no means the norm for working families in those days.

'They've all done well,' Eric says proudly. 'But it was a hard slog. I was forever swapping shifts and working nights for the extra money.'

It sounds like a hard life – but Eric always had an outlet. He was an avid sportsman and a talented footballer. 'I was an inside forward,' he says. 'Not that anyone would know what that means these days!'

Eric certainly knew what it

meant, and was good enough to turn out for Thorne Colliery, Doncaster United and BR's Eastern Region. He played alongside a few players who 'made a good living out of it later': people like Rod Belfitt, who later played for Leeds and Everton, John Bird who played for Newcastle and managed York, and the Doncaster Rovers goalkeeper Roger Chapman.

'I even played with an international! One lad, Geoff Evans, went abroad to be a school-teacher and ended up playing for Zambia!'

'The Eastern Region's matches were generally in mid-week and Donny would play at weekends – and I'd play for

both of them. I must have been fit! When we played in BRSA competitions we'd be given our wages. Once we got to the final of the BRSA cup and I got a week off with pay. I thought, 'This is the life!'

Eric played until he was 42 'but by the end I needed someone else's legs!'

'There was always a lot of variety in the work in BR days,' Eric says. 'Passenger, freight – you never know. I remember the 'fish train' that ran from Leicester to Hull. And the pigeon trains. Do you know, one time they took the train full of racing pigeons from Donny, where it started, down to Grantham. Just as they let them go an express came rushing along the other way and went right through the lot of them! Terrible business, that was!'

Eric was promoted to fireman at 17, and for driving at 32 – but he didn't get a driving job until he was 40! 'Some men were passed drivers for years and retired without getting a driving job. The alternative was to move – but it never appealed to me. 'Confidentially we had a few 'arrangements' at Donny that meant we weren't so bad off!'

In fact, he'd been a secondman for so long that the first time he took a passenger train out from Donny, he had difficulty convincing the guard that he really was the driver. The guard insisted that he was the second man!

'It's funny to think that in a few weeks, I won't be a driver again,' Eric says. 'I won't even be a second man. But it's a career and an industry that I'll never forget. It's been a very big part of my life.'



Eric with a young fan – his son!



Eastern Region team of '65: Eric's in the centre of the front row

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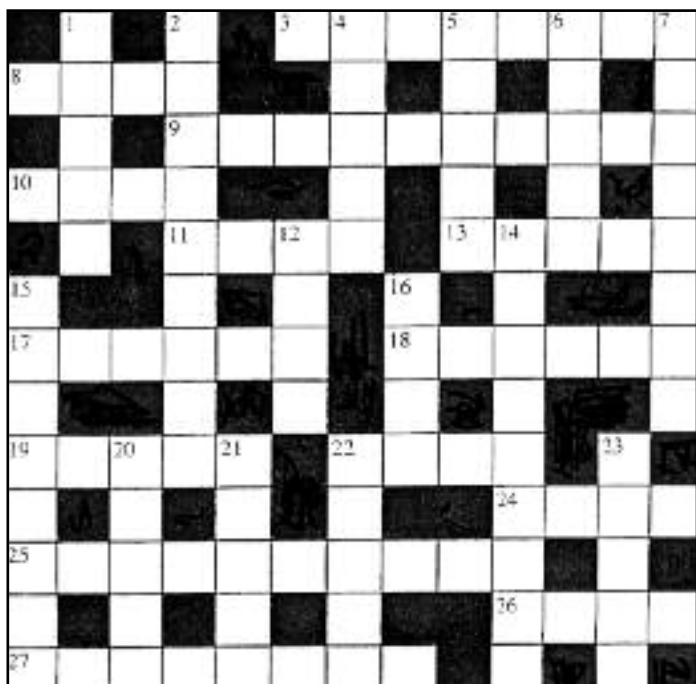
EMERGENCIES If you are an ASLEF member who is arrested or being interviewed by the police and need legal assistance – day or night – you can call the members' Emergency Hotline on 07980 996159.

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ASLEF *more than just a union*



Prize Crossword No. 24 set by TLC



Solution to Crossword No 23 which appeared in the February edition of the ASLEF Journal. Congratulations to **Mr. P. Smith** from **Cambridgeshire**.

ACROSS Viaducts 8 Rail 9 Embankment 10 Derv 11 Anne 13 Sonar 17 Ravine 18 Agenda 19 Dregs 22 Café 24 Team 25 Enthusiast 26 Eels 27 Traction **DOWN** 1 Races 2 Elevating 4 Image 5 Dukes 6 Clean 7 Saturday 12 Need 14 Omelettes 15 Gradient 16 RADA 20 Extra 21 Shunt 22 Cairo 23 Cable

Thanks for all your responses to the 23rd ASLEF crossword in the March edition. If you complete this month's crossword please send the solution to the Editor, ASLEF Journal, 9 Arkwright Road, London NW3 6AB by the 14th of the issue month.

Clues Across

- 3 Pulling power! (8)
- 8 Small car (4)
- 9 London Station (10)
- 10 Footwear (4)
- 11 Informal name for a train (4)
- 13 Rather big (5)
- 17 Girl's name (6)
- 18 Warnings of danger (6)
- 19 The media, TV, etc (5)
- 22 Apartment (4)
- 24 Unfasten (4)
- 25 Early railway worker (10)
- 26 Rigorous test in short! (4)
- 27 Found sneezing on the track? (8)

Clues Down

- 1 Illumination (5)
- 2 They carry oil under the sea (9)
- 4 Wireless, formerly (5)
- 6 Milan, Italian soccer team (5)
- 7 Talking rubbish (8)
- 12 Fuel for the old train (4)
- 14 Openings (9)
- 15 Musical instrument (8)
- 16 Frozen rail (4)
- 20 Dodge! (5)
- 21 Extreme gradient (5)
- 22 Natural ability or talent (5)
- 23 'Perfect' (5)



The winner of this month's crossword will receive Marks & Spencer vouchers to the value of £25

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